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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

13 ZEROCLICK, LLC, a Texas limited liability
14 company,

15 Plaintiff,

16 v.
17 APPLE INC., a California corporation,

18 Defendant.

19 Case No. 4:15-cv-04417-JST

20 **DECLARATION OF JACOB R.
21 BUCZKO IN SUPPORT OF
22 ZEROCLICK'S MOTION TO STRIKE
23 OPINIONS OF PROFESSOR SCOTT
24 KLEMMER**

25 Date: April 29, 2020
26 Time: 2:00 p.m.
27 Ctrm: 6
28 Judge: Hon. Jon S. Tigar

1 I, Jacob R. Buczko, declare as follows:

2 1. I am an attorney licensed to practice before the above-captioned Court, and a
3 partner at the law firm Russ August & Kabat, counsel of record for Plaintiff Zeroclick, LLC
4 (“Zeroclick”) in this proceeding. I make this declaration in support of Zeroclick’s Motion To
5 Strike Opinions of Professor Scott Klemmer. I have knowledge of the facts in this declaration, and
6 could and would competently testify thereto if called upon to do so.

7 2. Attached as Exhibit A is a true and correct copy of Apple’s Amended Invalidity
8 Contentions, dated September 24, 2019.

9 1. Attached as Exhibit B is a true and correct copy of excerpts from Scott Klemmer’s
10 Opening Expert Report of Scott Klemmer Regarding Validity, dated December 20, 2019.

11 2. Attached as Exhibit C is a true and correct copy of Zeroclick’s Interrogatories, Set
12 1 to Apple, dated June 2016.

13 3. Attached as Exhibit D is a true and correct copy of an excerpt from Apple’s
14 responses to Zeroclick’s Interrogatories, Set 1, dated July 5, 2016.

15 4. Attached as Exhibit E is a true and correct copy of an excerpt from Apple’s
16 Supplemental Response to Zeroclick’s Interrogatories, Set 1, dated November 1, 2019.

17 5. Attached as Exhibit F is a true and correct copy of an excerpt from Scott Klemmer’s
18 Rebuttal Expert Report Regarding Infringement, dated January 31, 2020.

19 6. Attached as Exhibit G is a true and correct copy of Apple’s Invalidity Claim Chart
20 regarding U.S. Patent No. 8,549,443 in view of U.S. Patent No. 6,466,197.

21 7. Attached as Exhibit H is a true and correct copy of excerpts from Apple’s Invalidity
22 Claim Chart regarding U.S. Patent No. 7,818,691 in view of U.S. Patent No. 6,466,197.

23 8. Attached as Exhibit I is a true and correct copy of an excerpt from Apple’s
24 Invalidity Claim Chart regarding U.S. Patent No. 7,818,691 in view of U.S. Patent No. 5,923,908.

25 9. Attached as Exhibit J is a true and correct copy of excerpts from Apple’s Invalidity
26 Claim Chart regarding U.S. Patent No. 7,818,691 in view of U.S. Patent No. 5,745,116.

27 10. Attached as Exhibit K is a true and correct copy of the Clarification of Response
28 on August 3, 2012 to Office Action Mailed June 14, 2012 regarding Application No. 12/877,994.

1 11. Attached as Exhibit L is a true and correct copy of the Office Action Summary
2 Mailed on December 4, 2012 regarding Application No. 12/877,994.

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4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on February 21, 2020, at Los Angeles, California.

6
7 */s/ Jacob R. Buczko*
8 Jacob R. Buczko

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11 RUSS, AUGUST & KABAT
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